

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09-cv-1299-RWS
)	
CITY OF PEVELY, MISSOURI,)	
)	
Defendant.)	

MOTION TO VOLUNTARILY DISMISS COUNTS II AND III OF COMPLAINT

Comes now Plaintiff, pursuant to FED.R.CIV.P. 41(a)(2), and moves this Court for entry of an order permitting Plaintiff to voluntarily dismiss Counts II and III of her Complaint.

Respectfully submitted,

/s/ Anthony E. Rothert
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CERTIFICATE OF SERVICE

The undersigned certifies that on December 18, 2009, he filed the foregoing document with the Clerk to be served by operation of the CM/ECF system upon the following:

David M. Korum
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/s/ Anthony E. Rothert